

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

CHAMBERS OF
MADELINE COX ARLEO
UNITED STATES DISTRICT JUDGE

MARTIN LUTHER KING
COURTHOUSE
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NEWARK, NJ 07101
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January 27, 2017

VIA REGULAR MAIL & CERTIFIED MAIL, R.R.R.

Karin Wolf, Pro Se
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VIA ECF

Counsel for Defendants

LETTER ORDER

Re: Karin Wolf v. Superior Court of New Jersey
Civil Action No. 16-226

Dear Litigants:

Before this Court is pro se Plaintiff Karin Wolf's ("Plaintiff") petition for leave to proceed in forma pauperis ("IFP") under 28 U.S.C. § 1915 to file an Amended Petition for Writ of Mandamus. Dkt. Nos. 2, 6.

Plaintiff's Petition is dismissed as frivolous. See 28 U.S.C. § 1915(e)(2). This petition arises from Plaintiff's 2007 divorce and ensuing custody proceedings in New Jersey state court. In 2014, Plaintiff filed a prolix complaint naming as defendants essentially any person with a conceivable connection to the state court proceedings, including the Superior Court of New Jersey. Wolf v. Escala, No. 14-5985, Dkt. No. 1 (D.N.J. 2014). In May 2015, the Court dismissed the case under Rule 12(b)(6) and the matter is now closed. Id., Dkt. No. 81 ("Opinion"). In January 2016, Plaintiff filed the instant amended petition for a writ of mandamus against the Superior Court of New Jersey based on identical claims. Wolf v. Superior Court of New Jersey, No. 16-226, Dkt. No. 6 (D.N.J. 2016).

Here, as in the prior case, Plaintiff asks this Court to (1) vacate the state court's decisions in her case; (2) find several of the state court's orders unconstitutional, (3) enjoin the state court from enforcing those orders, and (4) require the state court to divest itself of jurisdiction. See Dkt. No. 6 at 33. This Court lacks jurisdiction to grant these requests. Plaintiff does not allege any conduct over which the Court has mandamus jurisdiction; nor would Plaintiff's writ aid in the Court's jurisdiction. See 28 U.S.C. §§ 1361, 1651. Instead, the Court lacks jurisdiction over the requested relief based on the Rooker-Feldman doctrine, as noted in the Opinion dismissing Plaintiff's prior action. See Op. at 16-19. As such, the Petition will be dismissed.

IT IS, on this 27th day of January, 2017,

ORDERED that the Amended Petition for Writ of Mandamus is **DISMISSED WITH PREJUDICE** as frivolous pursuant to 28 U.S.C. § 1915(e)(2).

This matter is closed.

SO ORDERED.

s/ Madeline Cox Arleo

MADELINE COX ARLEO

UNITED STATES DISTRICT JUDGE